

# Sills Cummis & Gross

A Professional Corporation

The Legal Center  
One Riverfront Plaza  
Newark, New Jersey 07102  
Tel: (973) 643-7000  
Fax (973) 643-6500

101 Park Avenue  
28<sup>th</sup> Floor  
New York, NY 10178  
Tel: (212) 643-7000  
Fax: (212) 643-6500

Michael J. Geraghty  
Direct Dial: 973-643-5548  
Email: mgeraghty@sillscummis.com

May 31, 2024

**Via ECF**

Honorable Gregory H. Woods  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2260  
New York, NY 10007

*RE: Shaoxing Chenyee Textile Co. Ltd. v. Louise Paris Ltd.*  
Case No. 23-cv-06755-GHW

Dear Judge Woods:

On behalf of plaintiff Shaoxing Chenyee Textile Co. Ltd., I write in furtherance of plaintiff's pending motion for partial summary judgment. [ECF No. 42].<sup>1</sup> By letter dated May 20, 2024 [ECF No. 48], Defendant's counsel advised the Court that defendant did not intend to file any opposition to Plaintiff's motion.

In the absence of any opposition from Defendant, Plaintiff shall not file any formal reply papers. For the reasons set forth in the papers filed in support of Plaintiff's motion, Plaintiff respectfully requests that partial summary judgment be granted in its favor in the amount of amount of \$1,904,479.38 plus prejudgment interest and costs.

As set forth in Plaintiff's Memorandum of Law in support of its motion (at pp. 15-16), Plaintiff submits that prejudgment interest must be calculated on each of the unpaid invoices that are the subject of the motion from the date payment was due for each invoice. *See Congelados Del Cibao v. 3 Kids Corp.*, No. 19-cv-7596 (LJL), 2022 U.S. Dist. LEXIS 154543, \*1-2 (S.D.N.Y. July 22, 2022). The method of payment agreed upon by Plaintiff and Defendant was "ETD 30

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<sup>1</sup> Because plaintiff's motion papers were not filed on the electronic docket as separate documents as required by the Court, plaintiff refiled its papers on May 2, 2024 to correct its filing. [ECF Doc. Nos. 43-47].



Honorable Gregory H. Woods  
May 31, 2024  
Page 2

days,” meaning that Defendant was required to pay Plaintiff within 30 days after the ordered textile goods left a port in China for the U.S, *i.e.*, the shipping date. (Plaintiff’s Statement of Material Facts ¶¶ 7, 30 (listing shipping dates for each invoice).

If the Court grants Plaintiff’s motion for partial summary judgment, Plaintiff proposes to submit a proposed judgment consistent with the Court’s opinion and order including the calculation of prejudgment interest at the rate set forth 26 U.S.C. § 6621(a). *See Congelados v. Del Cibao v. 3 Kids Corp.*, No. 19-cv-7596 (LJL), 2022 U.S. Dist. LEXIS 80333, \*34 (S.D.N.Y. May 3, 2022)(“Plaintiff is directed to submit a proposed judgment consistent with this Opinion and Order – and including prejudgment interest at the rate set forth 26 U.S.C. § 6621(a)(2)”).<sup>2</sup>

Respectfully,

*Michael J. Geraghty*  
MICHAEL J. GERAGHTY

MJG/adp  
cc: All counsel of record (via ECF)

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<sup>2</sup> As stated in Plaintiff’s Memorandum of Law (at p. 1, n.1), if the Court grants Plaintiff’s motion for partial summary judgment, Plaintiff will consent to dismissal of its remaining claims alleged in its Complaint and include the dismissal of those claims in the proposed form of judgment.